

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GERARDO GALVAN and LOUREES
GALVAN,

Plaintiffs,

v.

Case No. 07-12670
HON. MARIANNE O. BATTANI

HONEYWELL INTERNATIONAL INC., a
Delaware corporation, individually and f/k/a
HONEYWELL, INC., a Delaware corporation
d/b/a/ HONEYWELL AUTOMATION AND
CONTROL SOLUTIONS, a business unit of
HONEYWELL INTERNATIONAL, INC., and
JEFFREY COON, a Michigan Defendant,

Defendants.

ORDER GRANTING DEFENDANTS' OBJECTION TO TAXED BILL OF COSTS

Before the Court is Defendants' Objection to Taxed Bill of Costs (Doc. No. 69).

The Court has reviewed the pleadings, and for the reasons that follow, the Court

GRANTS Defendants' objections.

After the Court entered judgment in favor of Defendants, they timely submitted a Bill of Costs for \$5,590.24. Nevertheless, the clerk taxed costs against Plaintiffs in the amount of \$350 for "fees of the Clerk." In disallowing the other fees requested, the clerk noted that Defendants failed to submit the required documentation to allow costs for court reporter fees, witness fees, and service fees. After the clerk made a final determination of allowable costs pursuant to the Local Rule, Defendants objected.

Federal Rule of Civil Procedure 54(d) provides that "costs--other than attorney's fees--shall be allowed to the prevailing party." Local Rule 54.1 establishes time deadlines for the filing of a bill of costs. See E.D. Mich. LR 54.1. In addition, the local

rule refers a prevailing party to the Bill of Costs Handbook, which sets out specific procedures that the claiming attorneys must follow.

Here, Plaintiffs did not object to any requested reimbursement. The basis upon which the clerk denied the request was insufficient documentation. Because Defendants has provided the documentation and altered their request for fees to comport with the Handbook, the Court agrees with Defendants that the order taxing costs should be revised. After reviewing the pleadings, the Court is satisfied that the costs requested in Defendants' objection are authorized.

Accordingly, **IT IS HEREBY ORDERED** that Defendants, as the prevailing party in this action, are entitled to costs in the amount of \$4,865.15.

IT IS SO ORDERED.

s/Marianni O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: November 18, 2009

CERTIFICATE OF SERVICE

Copies of this Order were e-filed and/or mailed to counsel of record on this date

s/Bernadette M. Thebolt
DEPUTY CLERK